

DISABILITY

Table 600. – Significant Provisions of Temporary Disability Insurance Laws					
		Hawaii		New Jersey	
Provisions	California	Employed workers	Unemployed workers	Employed workers	Unemployed workers
Benefit formula.	Differs from UI.	Differs from UI.	Same as UI.	Differs from UI.	Same as UI.
Benefit year.	No BY. Rights determined w/ respect to continuous disability period established by valid claim.	1-yr. period beginning with 1 st week of disability for which valid claim is filed.	UI benefit year.	No BY but statutory min. and max. benefits in any 12 month period.	Individual, beginning w/ valid claim. Valid claim for either disability during unemployment or for UI establishes BY for both.
Base period.	W/out unexpired UI ben. yr.: first 4 of last 5 CQs preceding disability beginning 2 nd or 3 rd month of qtr.; or first 4 of last 6 qtrs. preceding disability beginning in 1 st month of qtr. with unexpired UI ben. yr.: UI base period.	None. See below for period used for qualifying employment and wba.	UI base period.	52 calendar weeks immediately preceding calendar week in which disability period began.	52 calendar weeks ending with 2 nd week immediately preceding individual's BY.
Qualifying wages or employment.	Flat \$300.	14 wks employment at least 20 hrs in each week and wages of \$400 during the 4 completed CQs immediately preceding 1 st day of disability.	14 wks employment at least 20 hrs in each week and wages of \$400 during the 4 completed CQs immediately preceding 1 st day of disability.	20 base wks of emplmt. (wk in which wages from 1 ER were 20% of statewide aww, currently \$144), or 12 x the statewide aww, (currently \$7600) raised to the higher \$100 in BPW.	20 wks of emplmt week in which wages were 20% of statewide aww, currently \$144.
Waiting period.	7 consec. disability days at a beginning of each uninterrupted disability period. See below. <u>2/</u>	7 consec. days of disability at beginning of each uninterrupted period of disability.	7 consec. days of disability at beginning of each uninterrupted period of disability.	7 consec. days of disability at beginning of each uninterrupted period of disability. <u>3/</u>	7 consec. days of disability or 1 week of unemployment in BY satisfies waiting period requirement for both UI and DI during unemployment. <u>3/</u>

Table 600. – Significant Provisions of Temporary Disability Insurance Laws (Continued)	
New York	

DISABILITY

Provisions	Employed workers	Unemployed workers	Puerto Rico	Rhode Island
Benefit formula.	Completely different from UI.	Completely different from UI.	Same as UI for agricultural and nonagricultural workers up to \$59 wba.	Differs from UI.
Benefit year.	No BY; max. benefits limited in terms of any 52 consec. weeks.	No BY; max. benefits limited in terms of any 52 consec. weeks.	No BY; max. benefit limited in terms of any 52 consec. wks.	Individual, beginning with valid claim for DI.
Base period.	No BP as used in UI. See below for period used for qualifying employment and wba.	No BP as used in UI. See below for period used for qualifying employment and wba.	First 4 of last 5 completed CQs immediately preceding 1 st day of disability.	First 4 of last 5 completed CQs immediately preceding BY or last 4 completed qtrs. if individual fails to meet qualifying wage requirement.
Qualifying wages or employment.	4 or more consec. weeks of covered emplmt. for 1 ER (or 25 days regular part-time emplmt.) prior to commencement of disability.	2 categories of unemployed workers: (1) earned qualifying wages for UI (Table 301) <u>1/</u> or (2) not eligible under (1) but earned \$13 in covered emplmt. in each of 20 wks. within 30 wks. preceding last day worked in covered employment.	Flat \$150 in BP	200 x min. hourly wage in 1 qtr. and BP wages of 1-1/2 x HQ, (BP wages must be at least 400 x min. hourly wage) or 400 x min. hourly wage.
Weekly benefit amount.	\$20 - \$170 on basis of one-half aww in last 8 wks., or portion thereof, in covered emplmt. prior to commencement of disability. If average is less than \$20, weekly benefit is average wage.	\$20 - \$170 on basis of one-half aww in last 8 wks., or portion thereof, in covered emplmt. prior to commencement of disability. If average is less than \$20, weekly benefit is average wage.	Agricultural workers: \$7 - \$50 based on annual earnings as UI. Non-agricultural workers: \$7 - \$104. Up to \$59, same HQ and BPW as UI. For wba of \$60 and over, under schedule provided by law.	\$53 - \$487 (4.62% of HQ wages up to 85% of State's aww in preceding CY, plus the greater of \$10 or 7% of the individual's benefit rate for each dep. up to 5 depts.).
Waiting period.	7 consec. disability days at beginning of each uninterrupted disability period. See below.	If UI claimant, no other waiting period other than that for UI; if not qualified for UI, 7 consec. days of disability at beginning of each uninterrupted disability period. See below.	7 consec. disability days at beginning of each uninterrupted disability period. No waiting period for agricultural workers who become disabled during continuous period of unemployment. <u>2/</u>	7 consec. disability days at beginning of BY. However, the waiting wk. may become compensable under certain conditions.

Table 600. – Significant Provisions of Temporary Disability Insurance Laws (Continued)

	Hawaii	New Jersey
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DISABILITY

Provisions	California		Employed workers		Unemployed workers	
	Employed workers	Unemployed workers	Employed workers	Unemployed workers	Employed workers	Unemployed workers
Weekly benefit amount.	\$50 - \$336 based on schedule of HQW. For almost any amount of HQW, will be higher for DI than for UI <u>2</u> .	\$14 - \$357. For an aww of less than \$26, wba is the aww up to a max. of \$14. If aww is \$26 or more, wba is 58% of aww with a max. of 66-2/3 percent of aww.	Same as UI.	\$73 - \$401 (based on schedule of aww). Aww determined by dividing wages from 1 ER during base weeks in 8 weeks preceding disability by number of such base weeks. If less than average using all employment during last 8 wks, use earnings from all ERs.	\$73 - \$429 (based on schedule of aww). Aww determined by dividing wages from 1 ER in all base wks. by number of base wks. If not 20 base wks. with any 1 ER, avg. base wks. w/ all ERs.	
Duration.	6 - 52 weeks, \$300 - \$17,472 computed as lesser of 52 x wba or the total of BPW. Duration separate from UI.	Uniform 26 weeks in BY.	Balance of wks clmnt would have been eligible for benefits in his UI benefit year but not more than 26 weeks.	8 + -26 weeks, \$584 - \$9,464 computed as lesser of 26 x wba or 1/3 BPW. Limit applies to benefits in any 12 consecutive month period. Duration separate from UI and from benefits as an unemployed disabled worker.	15 - 26 wks., \$1,095 - \$9,464 computed as 3/4 wks., but not more than 26 x wba. Duration under UI and disability during unemployment limited to 150% of duration for either program separately.	
Uninterrupted period of disability.	Consec. disability periods due to same or related cause and separated by not more than 14 days.	Consec. periods of disability due to same or related cause and not separated by an interval of more than 2 weeks.	Consec. periods of disability due to same or related cause and not separated by an interval of more than 2 weeks.	Consec. periods of disability due to same or related cause and separated by not more than 14 days if individual earned wages from his last ER during the 14 day period.	*****	
Part weeks of disability.	Benefits paid for each day of disability in excess of 7 in a spell at rate of 1/7 wba.	Daily benefits amount computed on basis of normal number of workdays per week.	Same as UI.	Benefits paid for each day of disability in excess of 7 in a spell at rate of 1/7 wba; payment for part week rounded to next higher dollar.	Payment for part weeks of disability combined with employment paid according to UI formula for partial benefits. Full week of disability and UI paid at full wba from disability account.	

Table 600. – Significant Provisions of Temporary Disability Insurance Laws (Continued)

Provisions	New York		Puerto Rico	Rhode Island
	Employed workers	Unemployed workers		

DISABILITY

Duration.	Uniform potential 26 weeks in any 52 consec. weeks or for any single period of disability, \$520 (or less if wba is less than \$20 - \$4,420). Duration separate from UI.	Uniform potential 26 weeks in any 52 consec. weeks or for any single period of disability, \$520 (or less if wba is less than \$20 - \$4,420). Duration separate from UI.	Uniform potential 26 weeks in any 52 consecutive weeks.	12 - 30 weeks \$444 - \$13,890 computed as 36% of total BP wages plus DA if any.
Uninterrupted period of disability.	Consec. disability periods caused by the same or related injury or sickness, if separated by less than 3 months.	Consec. disability periods caused by the same or related injury or sickness, if separated by less than 3 months.	Consec. disability periods caused by same or related illness or injury if separated by less than 90 days.	*****
Part weeks of disability.	Benefits paid for each day of disability in excess of 7 in a spell. Daily benefit computed on basis of normal number of workdays per week.	Benefits paid for each day of disability in excess of 7 in a spell. Daily benefits computed as if normal workweek were Monday through Friday.	Benefits payable for each day of disability in excess of 7 consec. days computed as 1/7 wba rounded to higher dollar.	Benefits paid part week of disability following waiting period or receipt of benefits at rate of 1/5 wba for each workday up to 4/5 wba rounded to next higher dollar

1/Or averaged at least \$30 a week in 15 weeks in last 52-week period and in 40 weeks in last 104-week period.

2/No waiting period required for regular benefits for hospitalized claimant, CA, PR or for individual unemployed and disabled for more than 14 days, or if the individual receives treatment in a surgical clinic that requires a stay of less than 24 hours, CA.

3/Waiting week is compensable after benefits have been paid for 3 consecutive weeks.